

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE DISTRICT OF SOUTH CAROLINA

United States of America,	)	
	)	
	)	Criminal No. 9:17-cr-297
v.	)	Civil No. 9:22-cv-4257
	)	
Edwin M. Jenkins, Jr.,	)	
	)	
Defendant/Movant.	)	
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**ORDER**

Edwin M. Jenkins, Jr. (“Jenkins” or “Movant”) filed a pro se motion to vacate his judgment pursuant to 28 U.S.C. § 2255 on November 22, 2022. (ECF No. 173.) When he filed his § 2255 motion, however, a prior motion to reconsider/alter his sentence, which was filed by counsel, was still pending. (ECF No. 169.) Therefore, on April 10, 2023, through counsel, Jenkins filed a withdrawal of his pro se § 2255 motion, indicating that he wished to withdraw his § 2255 motion without prejudice and with the understanding that he may re-file the motion later without it being deemed successive. (ECF No. 190.)

After review, the Court approves of Jenkins’ withdrawal, and the Court grants counsel an additional 30 days from the date of this order to file a supplemental memorandum in support of the first-filed motion to reconsider/alter. (ECF No. 169.) The Court directs the Clerk to file a copy of this order in both Criminal No. 9:17-297 and Civil No. 9:22-4257, to indicate that Jenkins’ § 2255 motion has been withdrawn without prejudice, and the Clerk shall close Civil No. 9:22-4257.

**IT IS SO ORDERED.**

/s/Bruce H. Hendricks  
United States District Judge

April 11, 2023  
Charleston, South Carolina